

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. NO.: 2819-02
BILL NO.: HB 1679
SUBJECT: Business and Commerce; Crimes and Punishment
TYPE: Original
DATE: February 22, 2000

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
General Revenue	(Less than \$100,000)	(Less than \$100,000)	(Less than \$100,000)
Total Estimated Net Effect on <u>All</u> State Funds	(Less than \$100,000)	(Less than \$100,000)	(Less than \$100,000)

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
Local Government	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 3 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of the State Courts Administrator** and **Office of the Attorney General** assume the proposed legislation would have no fiscal impact on their agencies.

The **Department of Corrections** did not respond to Oversight's request for fiscal note information, nor did they provide a ten-year impact statement as statutorily required.

Oversight assumes the proposal could result in more offenders being incarcerated or placed on probation. Additional costs for supervision and care by the Department of Correction cannot be determined, but would likely be less than \$100,000 annually.

<u>FISCAL IMPACT - State Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
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GENERAL REVENUE FUND

Department of Corrections

<u>Cost</u> - Probation or incarceration costs	(Less than \$100,000)	(Less than \$100,000)	(Less than \$100,000)
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<u>FISCAL IMPACT - Local Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
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	\$0	\$0	\$0
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FISCAL IMPACT - Small Business

The proposed legislation would have an impact on small businesses involved in the retail industry.

DESCRIPTION

The proposed legislation makes it a class C felony to steal goods, wares, or merchandise from 3 separate mercantile establishments in one criminal episode, regardless of the value of the goods. The proposal also makes it a class D felony to possess, use, or counterfeit a sales receipt or universal product code label with the intent to cheat or defraud a retailer. A class C felony is imposed on persons who possess 15 or more fraudulent sales receipts or universal product code labels, or who possess a device to fraudulently manufacture such receipts or labels. The proposal

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DESCRIPTION (continued)

creates the crime of unlawful use of a theft detection shielding device, which is a class C felony, and is committed when an individual knowingly uses or possesses such a device. The proposal also creates the crime of unlawful possession of a theft detection device remover, which is a class C felony.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of the Attorney General
Office of the State Courts Administrator

NOT RESPONDING: Department of Corrections

A handwritten signature in black ink, appearing to read "Jeanne Jarrett", with a stylized, cursive script.

Jeanne Jarrett, CPA
Director
February 22, 2000